IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.397 OF 2005

Ghosala Panjrapol Sanstha. ... Petitioner

Versus.

State of Maharashtra & ors. ... Respondents.

Shri K.K.Tated with Ms.Natasha Jain for the Petitioner.

Shri A.S.Gadkari, A.P.P.for the Respondent-State.

Shri N.D.Bhatkar for Respondent No.2 to 4

CORAM : ABHAY S. OKA, J.

DATED : 28th June, 2005.

P.C.:

1. Heard Shri Tated for the Petitioner, the learned A.P.P. for the State and Shri Bhatkar for the Respondents Nos.2 to 4.

2. Shri Tated prays that the Petitioner may be allowed to withdraw this writ petition with liberty to file appropriate proceedings in the Sessions Court for challenging the impugned order. He states that to enable the Petitioner to file appropriate proceedings, ad-interim relief granted by this Court may be continued for a reasonable time.

3. Shri Bhatkar appearing for the Respondent No.2 to 4 has not opposed the prayer for permitting the withdrawal

of the petition, but has strongly opposed the prayer made by Shri Tated for continuation of the ad-interim relief granted by this Court. He submitted that the Petitioner has no locus to file the present petition for challenging the impugned order. As the ad-interim relief was granted by this Court on 15th February 2005 and as the Petitioner wants to file appropriate proceedings for challenging the impugned order, the said order deserves to be continued for a period of six weeks.

3. In view of this, the following order is passed:

(i) Writ Petition is dismissed as withdrawn with liberty to adopt appropriate proceedings in appropriate Court.

(ii) Ad-interim relief granted on 15th February 2005 will continue to operate for a period of six weeks.

Judge.